

Attorney Docket No.: 501153.20505

Customer No.: 026418

## REMARKS

### Status of the Application

Claims 1-9 are currently pending in the present application.

Fig. 8e has been objected to for including reference indicia not referred to in the specification.

Claims 1-5 and 7-9 have been rejected under 35 U.S.C. §102(e) as being anticipated by Kenner et al., U.S. Patent No. 5,956,716 ("Kenner").

Claim 6 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Kenner in view of Gunaseelan, U.S. Patent No. 6,601,136 ("Gunaseelan").

The specification has been amended to include a reference to the reference indicia shown in Fig. 8e.

Claims 1 and 5 have been amended herewith without the introduction of new matter. Reconsideration of pending Claims 1-9 in view of the following remarks is respectfully requested.

### Objection to the Drawings

The specification is presently amended to refer to reference indicia "245" shown in Fig. 8e. Applicant submits that the drawings comply with 37 C.F.R. §1.84(p)(4).

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Rejections under 35 U.S.C. §102(e)

After amendment, pending Claims 1-5 and 7-9 stand rejected under 35 U.S.C. §102(e) as being anticipated by Kenner. Applicant respectfully traverses the rejection in view of the foregoing amendments and following remarks:

As presently amended, independent method Claim 1 recites the additional feature of:

“wherein acquiring said requested multimedia data comprises recording said multimedia data by the one or more catchers responsive to a request included within said tender submitted by said master and uploading said recorded multimedia data to said exchange ...,”

the aforesaid feature having been previously presented in Claim 5.

In an exemplary embodiment of the present invention, the recited operation is carried out by a catcher, who, responsive to the master's request, records and uploads the media of interest. An example of this process is described on page 22, lines 12-21, whereby a master requests the viewing of conference facilities at a remotely located hotel. The present invention provides a means for obtaining media from remote locations, as the system enable masters/requesters to query catchers for presently non-existing media. The system and method further enables delivery of the requested media via the catcher's/provider's recording and uploading of the requested media to the exchange.

In contrast to the present invention, Kenner describes a non-interactive system in which a requesting party selects among a pre-existing collection of media. In particular, Kenner does not show or suggest a system, method, or capability of receiving requests from masters/requesters as to non-existing media, nor a system or method by which new

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media responsive to such requests could be provided. As a result, Kenner does not show or suggest the aforementioned recited feature:

“recording said multimedia data by the one or more catchers responsive to a request included within said tender submitted by said master and uploading said recorded multimedia data to said exchange ...,”

as recited in amended Claim 1. Applicant notes that the deficiency is not made up by Gunaseelan, as that reference also does not show or suggest a system or process by which a requester/master is permitted to request previously non-existent media nor the means by which a subscribing catching could provide/upload the requested media to the exchange for delivery to the master/requester.

Accordingly, as Claim 1 recites the aforementioned feature which is not shown or suggested in Kenner, it is patentable thereover. Remaining Claims 2-9 are dependent thereon, and are thus allowable for at least the same reasons. The previous rejection of Claim 6 on obviousness grounds is further traversed, as neither Kenner nor Gunaseelan, either separately or collectively, show the invention as recited in Claim 1, including the aforementioned feature. Accordingly, Claim 6 is further patentable over Gunaseelan.

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### CONCLUSION

In view of the foregoing, it is respectfully submitted that the grounds for the Examiner's rejections have been overcome and the pending claims should be found to be in condition for allowance.

Also, the amendments herein are intended to place the claims in allowable condition or in better condition for appeal and are not intended to raise issues that would require further searching or consideration by the Examiner. Therefore, entry of this paper is believed proper and is specifically requested.

Respectfully submitted,

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